

### REMARKS

Claims 1-21 are currently pending in the application.

#### Drawings

Figures 1, 2a and 2b have been designated as prior art, as requested by the Examiner.

Applicant does not require the color drawings to be used for publication.

#### Claim Objections

Claims 7-20 are objected to as being in improper form due to the use of multiple dependencies. The claims have been amended to overcome the objection.

#### Claim Rejections 35 USC 102

Claims 1 and 21 are rejected as being anticipated by Shobatake et al. US 6,654,607 (hereinafter Shobatake).

Shobatake teaches a method and apparatus for monitoring mobile communication across platforms. More particularly Shobatake teaches a means for following a mobile device such as a mobile telephone across various communication platforms or networks as it moves or changes communication mode. Thus for example it may be communicating as a voice device over the cellular telephony network and at other times it may connect as a mobile IP device using WAP or GPRS. The system of Shobatake allows the mobile device to be identified and contacted as it moves across platforms.

By contrast the present invention does not attempt to trace a mobile device at all. In the present invention the mobile device is merely the access device which is

intended to do the tracing. What the mobile device then traces is a *digital resource*, such as a WAP page or the like. That is to say it is not a device that is traced but *data* lying on a server. The data may be text, image, audio or video as appropriate and depending on the capabilities of the access device. The object identifier is no longer a telephone number as such, as would be the case in Shobatake, although it may be in the form of a telephone number. Rather the identifier is a resource identifier, which behaves as a URL or the like.

The problem dealt with in the present embodiments is how, with a mobile device that is compatible with different types of network, can there be provided a single addressing procedure to cover all of the types of resource that the device can potentially reach. The solution is to use, as an access mode, that mode which the telephone keypad is best designed for, the audio mode. Then access to the data can be achieved using regular dialing. Once dialing has occurred and the data located, then the telephone can be changed to a mode appropriate to the data, say WAP or the like, and the data accessed in the manner most appropriate in the circumstances. Thus access to the data is made in a first mode most convenient to the telephone, and then accessing of the data is made in a second mode most appropriate to the data.

Claim 1 has been amended to particularly point out relevant distinctions of the present invention over Shobatake, thereby to overcome the rejection made by the Examiner. Claim 1 has been amended to point out that the resource is in fact a digital resource, and therefore to exclude the telephones and like devices of Shobatake. The object identifier has been amended to "digital resource object identifier", to indicate an identifier that locates data in a network, as opposed to an identifier of a mobile telephone. Claim 1 has further been amended to point out the two modes in which

operation takes place, the first mode in which the access request is issued and the second mode in which the data is accessed.

Shobatake does not teach accessing of data. Shobatake further does not teach accessing of anything using two different modes. Shobatake further does not teach one mode specifically for issuing an access request and a second mode for actual accessing of the data, as required by newly amended claim 1.

The feature of the two different modes is taken from claim 2, which was not rejected under 35 USC 102, but rather under 35 USC 103. The rejection under 35 USC 103 is dealt with under the next heading.

#### **Rejections Under 35 USC 103**

Claims 2-6 are rejected under 35 USC 103(a) as being unpatentable over Shobatake in view of Kikinis US 6,243,569 (hereinafter Kikinis). The features of claim 2 that there is provided a first mode for accessing the resource and a second mode for acquiring the data have now been placed in claim 1. Claim 1 now clearly requires that the *access request to the data itself* is made in the first mode and the reading or other processing of the data is made in the second mode. That is to say the data operation is actually split between two modes. Such is not taught or suggested in Kikinis, which merely teaches a device that has an audio mode for regular telephone usage and a data mode for Internet access via the telephone. There is no suggestion in Kikinis to modify the system so that the two separate modes are used together in data access. Only Kikinis teaches data access via a mobile device and Kikinis does not so much as address the issue of convenient addressing of the data via the restrictions of the telephone handset.


It is therefore submitted that claim 1 is novel and inventive over the cited prior art. It is further submitted that dependent claims 2-21 are allowable as being dependent on an allowable main claim.

No new matter has been added in the course of making the present amendments.

New claims 22 and 23 have been added to further particularize the invention.

In view of the foregoing, it is believed this application is now in condition for allowance, and an early Notice of Allowance is respectfully requested.

Respectfully submitted,



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